TRANSCRIPT OF RECORD

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, [redacted] 1926

No. [redacted] 68

QUON QUON POY, APPELLANT,

vs.

JOHN P. JOHNSON, U. S. COMMISSIONER OF IMMIGRATION AT THE PORT OF BOSTON, MASS.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF MASSACHUSETTS

FILED APRIL 18, 1926

(31,038)

(31,038)

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1925

No. 364

QUON QUON POY, APPELLANT,

vs.

JOHN P. JOHNSON, U. S. COMMISSIONER OF IMMIGRATION AT THE PORT OF BOSTON, MASS.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF MASSACHUSETTS

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JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., NOVEMBER 23, 1925

[fol. 1] [Caption omitted]

[fol. 2] **IN UNITED STATES DISTRICT COURT, DISTRICT OF MASSACHUSETTS**

PETITION FOR WRIT OF HABEAS CORPUS—Filed November 7, 1924

I. The petitioner, Quon Quon Poy, respectfully shows that he is an American citizen and that he is the son of Quon Mee Sing of Boston in said District, who was born in the United States.

II. That your petitioner is restrained of his liberty by one John P. Johnson, who is United States Commissioner of Immigration at the port of Boston in said District, and that he is so confined and restrained at said Boston, and that the cause and pretence of his aforesaid confinement and restraint is that the said Quon Quon Poy being of Chinese descent and being an applicant for admission to the United States as the son of a native born American citizen has been refused admission.

III. That the citizenship of the said Quon Mee Sing has been duly established and is admitted to be a fact by the United States Bureau of Immigration and the Department of Labor.

IV. That your petitioner appealed to the Secretary of Labor from a so-called decision of a Board of Inquiry which, as he is informed, was not satisfied as to the alleged relationship of your petitioner to Quon Mee Sing, and he is informed that his appeal has been dismissed and an order for deportation of your petitioner has been made.

V. That your petitioner being the minor son of a citizen of the United States was not accorded a fair trial as to his relationship and citizenship by the Department of Labor, its officers and agents; that he was not allowed to see counsel or friends; that his counsel was not permitted to be present at or to participate in the examination of [fol. 3] the petitioner or his witnesses, nor to know what the petitioner had testified, nor what the evidence was until the record had been closed and a conclusion reached adverse to the petitioner, and at that point, for the first time his counsel was allowed to see the evidence.

VI. That your petitioner, his case, and the evidence of his witnesses was not heard by a Board of Special Inquiry as required by Section 17 of the Immigration Act of February 5, 1917, but that each and every witness was heard and testified before a single Inspector only, and your petitioner was denied the fair hearing provided for in said Act.

VII. That your petitioner was not advised of his right under the law to have one friend or relative present at his hearing until all of the testimony had been heard; that the waiver, so-called, and assent to the unlawful proceedings at his hearing, was exacted from

— without advice as to his rights, he being a minor, without the assistance of counsel and ignorant of his rights.

VIII. That your petitioner was unlawfully denied admission as an alien afflicted with hook worm infection without advice as to his rights as to admission for treatment, and his right under the law as a son of a citizen to be admitted without detention for treatment.

IX. That you petitioner claims his right as a citizen of the United States under section 1993 of the Revised Statutes of the United States to a fair trial and a fair opportunity to establish his citizenship, and says that having been denied such trial and opportunity as aforesaid by Immigration authorities he is entitled to an adjudication by this court as to the unjust procedure of the Department of Labor in his case, and as to the relationship of your petitioner to his father, Quon Mee Sing.

X. That your petitioner denies the right of the Department of Labor under section I of the Act of February 5, 1917, to declare him [fol. 4] an alien without fair hearing in accordance with due process of law, and says the procedure in his case was not in accord with that due process of law to which he is entitled under the Constitution of the United States, and claims that by reason of his birth many years before the enactment of said law to wit, February 10, 1910, and before the promulgation of the rules and regulations of the Department of Labor pursuant thereof the denial of admission to the United States under the procedure in this case is not warranted by law and is an unlawful denial of his rights under the laws and the Constitution of the United States.

Wherefore your petitioner prays a writ of habeas corpus to the end that your petitioner may be forthwith brought before the court to do, submit to and receive what the law may require, and asks that a warrant immediately issue to stay the deportation of your petitioner as aforesaid and bring him before the court to the end that *me* may be bailed.

Quon Quon Poy, by Warren Ozro Kyle, of Counsel for Petitioner. Quon Mee Sing.

Duly sworn to by Quon Mee Sing. Jurat omitted in printing.

[fol. 5] IN UNITED STATES DISTRICT COURT

MARSHAL'S RETURN TO SUMMONS

Upon the filing of this petition, a summons was issued to John P. Johnson, United States Commissioner of Immigration, at Boston, in the District of Massachusetts, to appear before said court on Monday, the seventeenth day of November, 1924, at two o'clock P. M., to show cause, if any he had why a writ of habeas corpus should not issue for the body of Quon Quon Poy, and the Marshal made a return upon said summons as follows:

UNITED STATES OF AMERICA,
Massachusetts District, ss:

Boston, November 8th, 1924.

Pursuant hereunto I have this day summoned the within named John P. Johnson to appear before this District Court of the United States, as within directed by giving in hand at East Boston, in said District, a true copy of the within summons to show cause.

William J. Keville, U. S. Marshal, by Everett S. Pevear, Deputy U. S. Marshal.

IN UNITED STATES DISTRICT COURT

MINUTE ENTRY OF ORDER GRANTING PETITION FOR WRIT OF HABEAS CORPUS

At the same term, to wit, November 24, 1924, this cause came on to be heard on said petition, the Honorable James A. Lowell, District Judge, sitting, and it was ordered that the petition be granted, and on the 26th day of said November, the following writ of habeas corpus issued accordingly:

IN UNITED STATES DISTRICT COURT

WRIT OF HABEAS CORPUS

UNITED STATES OF AMERICA,
Massachusetts District, ss:

[L. S.]

The President of the United States of America to John P. Johnson, Commissioner of Immigration at Boston, in said district, Greeting:

We command you that the body of Quon Quon Poy, by you restrained of his liberty, as it is said, you take and have before our Judge of our District Court of the United States at the United States Court House in Boston, in said District, on Monday, the first day of December, next, at 2 o'clock, P. M., to do and receive what our said [fol. 6] Court shall then and there consider concerning him in this behalf, and then and there show cause (if any you have), of the taking and detaining of the said Quon Quon Poy.

And have you there this writ with your doings therein.

Witness, the Honorable James M. Morton, Jr., at Boston aforesaid, the twenty-sixth day of November, in the year of our Lord one thousand nine hundred and twenty four.

Frank H. Mason, Deputy Clerk.

IN UNITED STATES DISTRICT COURT

MARSHAL'S RETURN TO WRIT OF HABEAS CORPUS

UNITED STATES OF AMERICA,
Massachusetts District, ss:

November 26th, 1924.

Pursuant hereunto I have this day summoned the within named John P. Johnson by giving in hand at East Boston, in said District a true copy of the within habeas corpus.

William J. Keville, U. S. Marshal, by Everett S. Pevear, Deputy.

[fol. 7] IN UNITED STATES DISTRICT COURT

RESPONDENT'S RETURN TO WRIT OF HABEAS CORPUS—Filed December 11, 1924

Now comes John P. Johnson, and in answer and return to the writ admits that he is the United States Commissioner of Immigration, at the port of Boston, and further admits that he has custody of an alien Chinese person, to wit, one Quon Quon Poy, but said John P. Johnson, traverses and denies that said Quon Quon Poy is restrained and illegally held by the said John P. Johnson, or that he is confined or restrained of his liberty arbitrarily or without warrant of law for that the said Quon Quon Poy is the same person named in an excluding decision rendered by a Board of Special Inquiry at said port of Boston, under date of October 1, 1924, which said Board of Special Inquiry was duly and legally appointed by and under the authority of the United States Immigration Laws and the Chinese Exclusion Law and Treaty to hear and consider the application of the said Quon Quon Poy for admission to the said United States; that regular and legal hearings were held by the said Board of Special Inquiry for the said purpose; that the said Board of Special Inquiry found that the applicant was not entitled to enter the said United States and rendered a decision excluding him therefrom in accordance with the said Immigration Laws, the Chinese Exclusion Law and Treaty and the laws and Constitution of the said United States; that an appeal was taken from the decision of the said Board of Special Inquiry to the Honorable Secretary of Labor of the said United States; that the said Secretary of Labor duly and legally sustained the finding and decision of said Board of Special Inquiry and dismissed the appeal, rendering an opinion affirming the excluding decision of the Board of Special Inquiry.

Further answering the respondent denies each and every allegation and statement in the petition for said writ.

The record of the proceedings is incorporated herein by reference.

John P. Johnson, Commissioner of Immigration.

[fol. 8] COMMONWEALTH OF MASSACHUSETTS,
Suffolk, ss:

December 26, 1924.

Subscribed and sworn to before me.
William H. Nitz, Notary Public. My commission expires Dec. 22, 1926. (Seal.)

IN UNITED STATES DISTRICT COURT

MEMORANDUM RE RECORD OF PROCEEDINGS BEFORE THE U. S. IMMIGRATION BOARD

(MEMORANDUM.—By direction of counsel, the Record of the Proceedings before the U. S. Immigration Board, at Washington, D. C., referred to in the foregoing respondent's return to the writ, is transmitted as an original and accompanies this Transcript of Record on Appeal to the United States Supreme Court. James S. Allen, Clerk.)

IN UNITED STATES DISTRICT COURT

SUBMISSION OF CAUSE

On the said 11th day of December, said cause comes on to be heard and is fully heard by the court, the Honorable James A. Lowell, District Judge, sitting, and on the sixteenth day of said December, the following order of court is entered, dismissing petition:

IN UNITED STATES DISTRICT COURT

JUDGMENT—December 16, 1924

LOWELL, J.:

In the above entitled cause, after a full hearing, it is now, to wit, December 16, 1924, ordered that the petition be dismissed and the writ discharged, and that the relator, Quon Quon Poy, be remanded without bail to the custody of the United States Commissioner of Immigration at Boston in said District, to whom the writ was directed.

By the Court:

Frank H. Mason, Deputy Clerk. J. A. L., D. J.

[fol. 9] IN UNITED STATES DISTRICT COURT

BILL OF EXCEPTIONS AND ORDER SETTLING SAME—Filed December 31, 1924

This case arises on a petition for habeas corpus to the commissioner of immigration at the port of Boston to obtain the discharge of the petitioner who is held for deportation. It appears that the petitioner

arrived at Boston June 25, 1924, and applied for admission to the United States as the son of Quon Mee Sing who is admitted to be a citizen of the United States of America. The writ of habeas corpus was duly issued pursuant to the petition and the case came on to be heard on the return to the writ. The petitioner offered to prove by the testimony of his father, his brother and a friend who had recently arrived from China that he is the son of Quon Mee Sing and is therefore a citizen of the United States, and not subject to deportation as an alien; but the court excluded such proof on the ground that the question of relationship of the petitioner to Quon Mee Sing appears by the return to the writ to have been decided adversely to the petitioner by a board of inquiry, and an appeal from such decision to the Secretary of Labor to have been dismissed, and such decision is not reviewable in this court; and to such exclusion of proof the petitioner and relator duly excepted. The respondent offered the certified copy of the record of the case of the petitioner in the Department of Labor on his application for admission as aforesaid, referred to in the respondent's return to the writ, and the same was duly admitted. It appeared from said record that the petitioner is fifteen (15) years of age, and was not advised of his right to have a relative or friend present at the hearing before the [fol. 10] Board of Inquiry until after all the evidence had been taken, and then he was asked if he waived said right.

The court found that the petitioner was not allowed to see counsel or friends until after all the testimony had been taken by the Board of Special Inquiry; that his counsel was not permitted to be present at or to participate in the examination of the petitioner or his witnesses; nor to know what the petitioner had testified, nor what the evidence was, until the record had been closed and a conclusion had been reached adverse to the petitioner; and that at that point, for the first time, the petitioner and his counsel were allowed to see the record and to know what the evidence was on which said conclusion had been reached and the adverse decision thereon rendered. No other evidence was introduced. The petitioner and relator requested the court to rule:

I. That the Act of Congress of February 5, 1917, regulating immigration of aliens, and residence of aliens in the United States, under which the Department of Labor adjudged the petitioner to be an alien, has no application to a son of a citizen of the United States, and the proceedings thereunder and order for deportation of the petitioner pursuant thereto, were null and void, and in no respect binding upon this court.

II. That this court in a hearing pursuant to a writ of habeas corpus is bound to hear and consider the evidence of citizenship duly offered to show that the Department of Labor, its officers and agents, had no jurisdiction to detain and deport the petitioner.

III. That under the constitution of the United States there is no power in Congress to annul citizenship directly or indirectly, except as punishment for crime, by an act of legislation subsequent to the

acquisition of said citizenship under the law, and the procedure of the Department of Labor to alienize the petitioner under the Act of Congress of February 5, 1917 was unconstitutional, illegal and void.

[fol. 11] IV. That the trial accorded to the petitioner by the Department of Labor was unfair, unjust and not in accord with due process of law to which the petitioner is entitled under the constitution of the United States.

But the court refused so to rule and ordered that the petition be dismissed, that the writ of habeas corpus heretofore issued herein be discharged, and that Quon Quon Poy be remanded to the custody of the immigration authorities for deportation; and to said rulings and refusals to rule, and to said order and action of the court, and refusal to act, the petitioner and relator duly excepted. The petitioner and relator appealed from the said decision and order to the Supreme Court of the United States, and filed a petition for appeal and assignment of errors, and said appeal was allowed as appears by the record.

Thereupon the petitioner and relator tender this their bill of exceptions to the actions and rulings and refusals to rule of the court in the various particulars set out which is signed and made a part of the record in this case.

Dated the thirty-first (31) day of December A. D. 1924.

Respectfully submitted, Quon Quon Poy, Petitioner. Quon Mee Sing, Relator, by Warren Ozro Kyle, of Counsel.

Bill of exceptions allowed:

James A. Lowell, U. S. District Judge.

[fol. 12] IN UNITED STATES DISTRICT COURT

PETITION FOR APPEAL AND ASSIGNMENTS OF ERRORS—Filed December 31, 1924

The petitioner and relator pray and appeal from the order and judgment of this court to the Supreme Court of the United States and assign for error:

I. That the court erred in refusing to rule as requested by the petitioner that the Act of Congress of February 5, 1917, regulating immigration of aliens and residence of aliens in the United States is unconstitutional as to the first section thereof in that it designates as aliens any person or persons not native born or naturalized citizens of the United States thereby unlawfully discriminating against citizens by birth born out of the jurisdiction of the United States and denying to such persons their rights of citizenship under the constitution of the United States.

II. That the court erred in refusing to rule as requested by the petitioner that the Act of February 5, 1917, regulating immigration

of aliens, and residence of aliens in the United States, under which the Department of Labor adjudged the petitioner an alien has no application to a son of a citizen of the United States and the proceedings in this case thereunder were null and void.

III. That the court erred in refusing to rule, as requested by the petitioner, that the trial accorded to the petitioner by the Department of Labor was unfair, unjust and not in accord with due process of law under the Constitution and Laws of the United States.

IV. That the court erred in refusing to hear and consider evidence [fol. 13] duly offered as to the citizenship of the petitioner and the lack of jurisdiction of the Department of Labor to deport him.

V. That the court erred in ruling that the decision of the Department of Labor is conclusive upon this court.

VI. That the court erred in refusing to rule as requested by the petitioner, that the order of deportation and the detention of the petitioner thereupon are both illegal and void.

VII. That the court erred in entering an order for dismissal of the petition and discharge of the writ and remanding to custody the petitioner without determining the question of citizenship.

Wherefore the appellants pray that the order and judgment herein may be reversed and the appellants may have an adjudication in their favor.

Quon Quon Poy. Quon Mee Sing, by Warren Ozro Kyle, of Counsel.

J. A. L.
D. J.
Dec. 31, 1924.

[fol. 14] IN UNITED STATES DISTRICT COURT

RECOGNIZANCE—Dec. 31, 1924

UNITED STATES OF AMERICA,
Massachusetts District, ss:

At a District Court of the United States begun and holden at Boston, within and for the District of Massachusetts, on the first Tuesday of December, in the year of our Lord one thousand nine hundred and twenty four, to wit, December 31, 1924.

In the Case No. 2855, Civil

In re

QUON QUON POY, Petitioner, Relator,

v.

JOHN P. JOHNSON, U. S. Commissioner of Immigration

Personally appeared Quon Quon Poy, of Boston, Mass. and acknowledged himself to be indebted unto the United States of America, in the sum following, viz.: the said relator, Quon Quon Poy as principal, in the sum of fifteen hundred dollars to be levied on his goods or chattels, lands or tenements, and in want thereof upon the body of the said Quon Quon Poy to the use of the said United States, if default be made in the performance of the Condition following:

Whereas the said relator Quon Quon Poy has this day been ordered to be admitted to bail pending the appeal, the citation in this cause being returnable to the Supreme Court of the United States at Washington, D. C. on the 30th day of Jan. A. D. 1925.

Now the condition of the Recognizance is such that if the said relator Quon Quon Poy shall personally appear before the District Court of the United States to be holden at Boston, within and for the District aforesaid, whenever required, after the Mandate of the said Supreme Court of the United States shall be received in this cause to answer to such matters and things in the premises as shall be objected against him on behalf of the said United States, and more especially to such judgment as shall be awarded against him therein, and shall do and receive that which by this court shall be enjoined upon him in relation to the premises and not depart without license, [fol. 15] and shall meanwhile from term to term and day to day appear in this court, whenever lawfully required, in relation to the premises, then the above obligation to be void and of none effect, otherwise to abide in full force, power and virtue.

Received $1,500.00 currency in lieu of surety from Chin Bing Gaum December 31, 1924.

Chin Bing Gaum. (In the original recognizance the signature also appears in Chinese character.)

Approved: John W. Schenck, Asst. U. S. Atty.

Attest: Edith G. Rollins, Deputy Clerk.

[fol. 16] Bond on Appeal for $250.00—Approved and filed March 20, 1925; omitted in printing

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[fols. 17 & 18] Citation—In usual form, showing service on Harold P. Williams & John W. Schenck; omitted in printing

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[fol. 19] In United States District Court

Clerk's Certificate

United States of America,
District of Massachusetts, ss:

I, James S. Allen, Clerk of the District Court of the United States for the District of Massachusetts, hereby certify that the foregoing is the transcript of the record on appeal of the relator, including true copies of such proofs, entries and papers on file as have been agreed upon by the parties, in the cause entitled, No. 2855, Civil Docket, In re Quon Quon Poy, Petitioner for Writ of Habeas Corpus, ex rel Quon Mee Sing, in said District Court determined, together with the original citation and the acknowledgment of service thereon.

In testimony whereof, I hereunto set my hand and affix the seal of said court, at Boston, in said District, this eleventh day of April, A. D. 1925.

James S. Allen, Clerk. (Seal of the United States District Court of Massachusetts.)

Endorsed on cover: File No. 31,038. Massachusetts D. C. U. S. Term No. 364. Quon Quon Poy, appellant, vs. John P. Johnson, U. S. Commissioner of Immigration at the Port of Boston, Mass. Filed April 16th, 1925. File No. 31,038.

ORIGINAL EXHIBITS

Supreme Court of the United States

OCTOBER TERM, 1926

No. 68

QUON QUON POY, APPELLANT,

vs.

JOHN P. JOHNSON, U. S. COMMISSIONER OF IMMIGRATION AT THE PORT OF BOSTON, MASS.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF MASSACHUSETTS

FILED APRIL 16, 1926

(21,033)

(31,038)

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1926

No. 68

QUON QUON POY, APPELLANT,

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APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF MASSACHUSETTS

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JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., DECEMBER 10, 1926

[fol. 1] **INCLOSURE 8121**

From Department of Labor, Bureau of Immigration

DEPARTMENT OF LABOR

Gen. No. 16. 55392/626

Washington, November 11, 1924.

I hereby certify that the annexed is the original record of the Bureau of Immigration, Washington, D. C., in the matter of the Chinese person Quon Quon Poy on file in the Bureau of Immigration, Washington, D. C.

W. W. Husband, Commissioner General of Immigration. (Official title.)

Office of the Secretary

I hereby certify that W. W. Husband, who signed the foregoing certificate, is now, and was at the time of signing, Commissioner General of Immigration, and that full faith and credit should be given his certification as such.

In witness whereof, I have hereunto subscribed my name, and caused the seal of the Department of Labor to be affixed this 11th day of November, one thousand nine hundred and Twenty-four.

Robe Carl White, Second Assistant Secretary of Labor. (Seal Department of Labor, United States of America.)

[fol. 2] 882

November 3, 1924.

55392/626, 625.

Commissioner of Immigration, East Boston, Mass.:

In reply to your letters of the 17th instant, Nos. 2500/5929 and 3500/5800, you are advised that the appeals of Quon Quon Poy and Hom Yok Tao have been dismissed.

The exhibits in the cases are herewith returned.
(Signed) W. W. Husband, Commissioner General.

H.

Nov. 3, 1924.
Inc. 654, 655.

[fol. 3] U. S. Department of Labor, Bureau of Immigration, Washington

No. 55392/626, 625.

November 3, 1924.

Mr. J. F. O'Connell, Attorney, 11 Beacon Street, Boston, Mass.

SIR: This is to advise you that the appeals of Quon Quon Poy and Hom Yok Tao in which you are interested, have been dismissed.

Respectfully, —— ——, Assistant Commissioner General.

H.

(Signed) W. W. Husband, Nov. 3, 1924.

660.

[fol. 4] 55392/626. Boston, November 1, 1924.

In re Qvox Qvox Poy, Aged 15

This case comes before the Board of Review on appeal. Attorney J. F. O'Connell, Boston, granted a hearing.

This is the case of a fifteen year old Chinese boy who arrived at the port of Boston on June 25, 1924, and sought admission as the son of a citizen. He was excluded because of the fact that it was not believed that the relationship exists, and also as an alien afflicted with a physical disability which might affect his ability to earn a living, and as a person likely to become a public charge.

The record shows that the alleged father, Quon Mee Sing, is a native born citizen of the United States, and, therefore, if it is finally held that the relationship is established, the applicant is a citizen and all causes of exclusion fall.

The alleged father made a trip to China in 1908, returning in 1912. He again went to China in 1920, returning in 1922. The alleged father's file, No. 1097, which contains a record of his examination upon the occasion of his return on June 1, 1912, has a material bearing on this issue. He was asked:

"Have you any children?
A. Two boys.
Q. What are their names and ages?
A. Quon Gong Sick, 13 years old, Quon Gong Yow, 12 years old.
Q. What were the dates of their births?
A. Quon Gong Sick was born K. S. 26-1-15 and Quon Gong Yow was born K. S. 28-12-20.
Q. Then these boys were both born before you returned to the United States the first time?
A. Yes.
Q. How old was Quon Gong Yow when you left China?
A. One year old.
Q. Did you ever have any other child except these two boys?
A. No.
Q. Have you any adopted children?
A. No."

The applicant claims to have been born on February 10, 1910, which was over two years prior to the time that the alleged father stated he had but two children and never [fol. 5] had any other children. The two children of the alleged father referred to in 1912 have since been admitted to the United States. It will, therefore, be seen that this is a clear-cut prior adverse testimony case. There are other reasons which lead the Board of Review to believe that this boy is not the son of his alleged father. For instance, he was mentioned in 1920, at which time his birthdate was given as S. H. 3-1-1, which would be January 30, 1911, whereas it is now given as February 10, 1910, which would be S. H. 2-1-1.

Again in 1922, the alleged father testified that he had four boys, and as to the first two gave the day and month in which they were born, stating that he did not know the year. However, for this boy he at that time stated "I do not

know the year, month or day of birth." He was able to give the exact birthdate for his next child.

The record is exceptionally unfavorable to the applicant. In fact, it would appear that the applicant lacks considerable knowledge concerning his home life, and has advanced the most ridiculous explanations imaginable to apparently cover up his ignorance. The applicant claims to come from the village of Joan Wing, which is composed of only about sixteen houses. One would naturally think that a boy who has lived in such a small village all of his life thus far would be in a position to know practically every person in such a small village, and to describe correctly the house in which they live. However, the applicant states on one occasion that the two houses in this village were torn down, and when asked when he first saw that these building had been torn down, he replied "The first time I knew the buildings were torn down and that the lots were vacant was the day I left home for the United States." Again he states that he never saw the house opposite the small door of his own house until the day of his departure for the United States. This statement is as ridiculous as it is impossible. The boy is not blind, and has been able to attend school for the past few years. He admits that he has been proceeding from the school to his house daily for the purpose of securing his meals, and from this it will be seen that it would not be possible for him to have lived such a life as to warrant the statements made by him.

One of the prior landed alleged brothers, Quon Gong Set, appeared as a witness. While there are discrepancies between the testimony of the applicant, the alleged father, and the prior landed alleged brother, the testimony of the prior landed brother and the alleged father is in much better agreement than is their testimony when compared with that of the applicant. The applicant has disagreed with the other concerning approximate ages of immediate neighbors, the number of people in the village, etc.

Strange to say, there are two favorable features to this case, and these are about the only favorable features. There is a good resemblance between the photographs of the applicant and his alleged father (See Boston File 2500/5929). However, such a resemblance is far from being conclusive of the claims advanced. Again the Board of

Special Inquiry thought that this applicant was older than the age claimed, but Dr. Nute of the Public Health Service has issued a certificate to the effect that an ex-ray examination shows the boy to be just about the age claimed.

[fol. 6] After a careful consideration of the entire case. The board of review is of the opinion that the alleged father's very positive statements in 1912 to the effect that he had no such son, his subsequent doubtful statements concerning the birthday of this boy, and the applicant's evident lack of knowledge of matters which clearly should be within his memory, clearly overcome the few favorable features existing in this case, and it is, therefore, believed that he has fallen far short of bearing the burden of proof, placed upon him by law, of establishing that he is in truth and in fact the son of his alleged father. The finding that he is not the son of his alleged father, and as he is otherwise without status entitling him to admission to the United States, make it necessary to recommend that the excluding decision be affirmed.

It is recommended that the appeal be dismissed.

F. J. Phillips, Acting Chairman Secy. & Commr. Genl's Board of Review.

ES:H.

So ordered: Robe Carl White, Second Assistant Secretary.

[fol. 7] No. 55392/626. Boston, October 28, 1924.

In re Quox Quox Poy, aged 15. Applicant for admission at Boston as Son of a Citizen

Board members: Shaughnessy, Archibald & Welch (Shaughnessy presiding).

Hearing: Atty. O'Connell of Boston.

Request: Admission.

[fol. 8] 626

U. S. Department of Labor, Immigration Service

Office of the Commissioner, East Boston, Mass.

October 17, 1924.

No. 2500/5929.

Commissioner-General of Immigration, Washington, D. C.

Herewith there is inclosed the record on appeal in the case of Quon Quon Poy, an applicant for admission at this port, ex S. S. Prince George, June 25, 1924, as the son of United States citizen Quon Mee Sing, aged 15, literate, male, single, born in and coming from Joan Wing village, Hoi Ping district, China, who was excluded by the Board of Special Inquiry was not satisfied as to the existence of the claimed relationship, also as an alien afflicted with a physical disability which might affect his ability to earn a living and as an alien likely to become a public charge.

Included with the record, as exhibits, will be found the identification paper presented by applicant upon arrival here; medical certificate issued in this case; and Boston files Nos. 1097, 2500/2161, 2500/5025 and 2500/5929, all of which please return when they have served their purpose.

The record is forwarded at the request of the local attorney, Hon. Jos. F. O'Connell of this city, who states that he intends to appear personally before the Department in the matter.

If the decision is to deport, notice to that effect may be forwarded to this office immediately, as applicant may be deported by any sailing of the transportation line involved, which sailings take place from this port on Mondays and Thursdays.

John P. Johnson, Commissioner.

WMP.

Inclousur. #18821.
Recd. Bu. of Immigration Oct. 20, 1924, mail and files.
Seal Chinese Immigration, Oct. 20, 1924.

[fol. 9] U. S. Department of Labor, Immigration Service

Office of the Commissioner, East Boston, Mass.

October 2, 1924.

2500/5929.

Mr. Joseph F. O'Connell, 11 Beacon Street, Boston, Mass.

Dear Sir: Receipt is acknowledged of your letter of the 29th ultimo, stating that you desire the case of Quon Quon Poy closed, and copy of testimony forwarded to you in order to perfect an appeal.

In compliance therewith, please find enclosed said copy, consisting of twenty sixe (26) pages, receipt of which kindly acknowledge.

The enclosed copy is to be returned when the case of Quon Quon Poy is finally disposed of.

———, Commissioner.

LCW.

Enclosure 18801.

Exact copy as signed by John P. Johnson. Mailed Oct. 2, 1924, by L. C. Webb.

[fol. 10] B. S. I. 7

In re Quon Quon Poy

No. 2500/5929.

East Boston, Mass., October 1, 1924.

Rehearing in the case of Quon Quon Poy before a Board composed of Inspectors Stockwell, Chairman; Jensen McCarthy, Recorder. Interpreter: Yee Chew Yim.

Previous record read and accepted.

Note.—On September 25, 1924, a "not satisfied" motion was entered in this case and the applicant accorded the usual time in which to submit additional evidence. In a communication dated September 29th the attorney in the case, Hon Joseph F. O'Connell, advised this office that he

had no further testimony to offer and that the case might be closed.

Applicant recalled, sworn, testified:

Q. What are your names?

A. Quon Quon Poy is my only name.

Q. Are you the same Quon Quon Poy who appeared before me several times last month?

A. Yes.

Q. Do you remember what day you left Hong Kong?

A. The 4th month, 25th day, this year. (May 28, 1924.)

Q. Who purchased your steamship ticket?

A. The manager of the Quong Fat Wing store in Hong Kong.

Q. According to your previous testimony your father sent the money for your passage to Soon Hing Hong Co. at Hong Kong and you went to the office of that Company, obtained the money and bought your own ticket for the U. S. How do you explain that?

A. I was mistaken when I said the money was sent to Soon Hing Hong Co. My father sent the money to the Quong Fat Wing store and I went with the manager of that company to buy the ticket. The manager bought the ticket. I don't know how much he paid for it.

By Chairman: In connection with the "Not satisfied" motion rendered in this case on September 25th, the citizenship of the alleged father, Quon Mee Sing, was recognized but the Board was not satisfied as to the existence of the claimed relationship.

In the absence of additional evidence I am still of the opinion that the claimed relationship has not been reasonably established. I therefore move that the applicant, Quon Quon Poy, be excluded as a Chinese alien not a [fol. 11] member of any of the exempt classes entitled to enter or remain in the United States; also as an alien afflicted with uncinariaris, hook worm infection, which may affect ability to earn a living; and also as an alien likely to become a public charge.

Inspector Jensen: I second the motion.

Inspector McCarthy: I make it unanimous.

To Applicant: You have been refused admission to the United States by this Board as a Chinese alien not a member of any of the exempt classes entitled to enter or remain in this country, this Board not being satisfied of existence of relationship which you claimed to Quon Mee Sing as your alleged father. You have also been refused admission as an alien afflicted with uncinariaris, hook worm infection, which, as indicated by the Medical Certificate issued in your case, may affect ability to earn a living; and also as an alien likely to become a public charge.

From this decision you have the right of appeal to the Secretary of Labor at Washington, D. C., to whom in the event of an appeal the entire record in your case will be forward for review. Do you wish to appeal?

A. I will leave it to my father.

Q. In the event of your deportation you will be returned to the country whence you came by and at the expense of the transportation line bringing you here, in the same class of travel by which you arrived. Do you understand?

A. Yes.

Q. Have you anything further to say?

A. No.

Q. Have you thoroughly understood the Interpreter?

A. Yes.

Excluded October 1, 1924.

A. W. Stockwell, Chairman F. A. McCarthy, Recorder.

[fol. 12] Law Offices of Joseph F. O'Connell, James E. O'Connell, Daniel T. O'Connell, Ernest B. Rowe

11 Beacon Street, Boston

Haymarket 6240, 6241

Cable Address Connello

September 29, 1924.

Commissioner of Immigration, East Boston, Mass.

Dear Sir: In the case of Quon Quon Poy, Boston file 2500/5249 in which you have entered a not-satisfied de-

cision, permit me to say the applicant has no further testimony to offer and desires to appeal.

Will you kindly send me the attorney's copy of the testimony so that the appeal may be perfected.

Very truly yours, Jos. F. O'Connell.

JFO/MW.

Received, Sep. 30, 1924, Immigration Service, Boston.

[fol. 13] U. S. Department of Labor, Immigration Service

Office of Commissioner, East Boston, Mass.

No. 2500/5929. September 26, 1924.

Hon. Joseph F. O'Connell, 11 Beacon Street, Boston, Mass.

Quon Quon Poy

Dear Sir: In re application of above-named for admission into the United States at this port as son of a citizen you are advised that the Board of Special Inquiry hearing the case has entered the following preliminary decisions:

Satisfied as to citizenship of alleged father.

Not satisfied as to claimed relationship.

You are, therefore, allowed five days in which to state whether or not you wish to submit any additional evidence and, if so, five more days will be allowed you for that purpose.

If you do not wish to submit any additional evidence, please so advise in order that the case may be closed and a decision rendered of which you would be advised to enable you to exercise your right of appeal and examine the record.

Very truly yours, —— ——, Commissioner.

Exact copy as signed by John P. Johnson. Mailed Sep. 26, 1924, by L. O. Webb.

[fol. 14] BSI 4. (2500/5929)

In re Quong Quong Poy

Rehearing September 25, 1924, by Board of Special Inquiry.

Inspector A. W. Stockwell, Chairman. Inspector J. V. Fitzgerald. Inspector F. A. McCarthy, Recorder.

East Boston, Mass., Sept. 25, 1924.

(Previous record read and considered.)

Note.—This case was deferred September 12, 1924, for further medical examination. The applicant, appearing to be older than the age claimed, was given a thorough physical examination and under date of the 23d instant the Medical Division at this station reported as follows:

"In re Quon Quon Poy, male, Chinese, ex SS. Prince George, June 25, 1924

In reply to your request, the above-named Chinese applicant was given a thorough physical examination, including X-ray plates, with a view to determining his approximate age. Although he looks older than the age claimed, the X-ray plates showed skeleton formation characteristic of a person in the vicinity of fifteen years of age, which is approximately the age claimed.

Respectfully, (Sgd.) A. J. Nute, Medical Officer in Charge."

(By Chairman:) The citizenship of the alleged father, Quon Mee Sing, was favorably passed upon by the Bureau in its letter No. 54820/158 of February 13, 1920 (See Boston file 2500/2160). The claimed relationship, however, is in doubt.

1. The applicant, Quon Quon Poy, claims to be native of, and always to have resided in a Chinese village composed of seven rows containing 16 or 17 buildings. In spite of the comparatively simple task of describing this small village, however, the applicant and his two witnesses (the alleged father and the alleged prior-landed brother) failed of reasonable agreement in their respective descriptions.

In an attempt to clear up some of the discrepancies during cross-examination the applicant, who claims to have lived in the fourth row of his village ever since birth, asserted that he had never seen the lots in the fifth row (adjoining his own row) until the day of his departure for America when he left from that side of his house.

When it came to a description of the sixth row of the village the applicant asserted and re-asserted that there is [fol. 15] only one vacant lot at the head of that row followed by two houses on the second and third lots. The alleged father, on the other hand, testified that there are two vacant lots at the head of that row followed by a house on the third lot. The alleged prior-landed brother states that all the lots in that row are vacant save for one small house at the lower end of the row. Other points of disagreement exist but the foregoing illustration is sufficient.

2. There are several discrepancies regarding the occupancy of houses in the home village only one or two of which need be cited here.

On his first appearance the applicant asserted that the family in the house directly back of his in the same row consists of Quon Quok Hong with wife, one son and two daughters; that the son is aged 13 or 14 and the daughters are between 15 and 20 years of age. On cross-examination he again asserted that the daughters are older than the son, explaining that they are "taller" than the son and must be older. The alleged father testified that there are no daughters in this family, while the alleged brother claimed that the daughters are younger than the son with ages ranging from 9 to 12. It is difficult to account for such discrepancies in reference to the family of a next door neighbor.

3. Questioned as to the occupancy of the first house in his row, separated by only two lots from his own house, the applicant originally testified that it is occupied by Quon Sung Chun, a widower, who lives there alone and who, "so far as I know, never had any children." At his second appearance the applicant testified that Quon Sung Chun had a son who went to Havana several years ago, but that the son's wife and her son, aged 4 or 5, now live with Quon Sung Chun.

The alleged father also stated that the first house in his row belongs to Quon Sung Chun, but that the latter is married and that his wife and one son, aged "a little over ten years," live with him. The alleged brother also agrees that Quon Sung Chun lives in the first house of that row with his wife and one son, the latter, however, being 14 or 15 years old and attending school. (If this were true the son apparently would be a schoolmate of the applicant.)

The alleged brother further testified that another man, named Quon Yick, also resides with Quon Sung Chun in the same house. The alleged father agrees with the alleged brother in respect of Quon Yick, but the applicant states that Quon Yick lives with Quon En You in the next (third) row of the village.

4. The applicant was questioned at his first appearance, and again on cross-examination, regarding the occupancy of the first house in the third row which adjoins the row in [fol. 16] which his own house is located. On each occasion he testified that that house is occupied by Quon En You and Quon Yick, both unmarried; "so long as I can remember the two have lived alone together."

As stated above both the alleged father and the alleged brother testified that Quon Yick lives with Quon Sung Chun in the first house of the fourth row.

Concerning Quon En You the alleged brother states that he is a widower with one son who is abroad. The alleged father testified regarding the existence of Quon En You's son, adding that the son's wife and child (aged 8 or 9) reside in the house with Quon En You.

5. When first questioned about the family living in the house opposite the small door of his own house the applicant stated that Quon Hen Set resides there with his wife and one son aged about ten years who "has not yet entered school." On cross-examination, however, the applicant testified that the son is 13 or 14 years of age and attended school with him in the home village. The alleged father describes this son of Quon Hen Set as 18 or 20 years of age working out as a farmer; and in support of the claimed age added that he saw this son when he (the witness) visited China in 1908. The alleged brother also

testifies that Quon Hen Set's son is a little over 20 years of age and is employed as a farmer.

In view of the foregoing I am not satisfied that the claimed relationship has been reasonably established and I therefore move that the applicant be given the usual time in which to submit additional testimony.

Inspector J. V. Fitzgerald: I second the motion.

Inspector F. A. McCarthy: It is unanimous.

Not satisfied, September 25, 1924.

A. W. Stockwell, Chairman. F. A. McCarthy, Recorder.

[fol. 17] Treasury Department, United States Public Health Service, U. S. Immigration Station, East Boston, Mass.

Office of Medical Officer in Charge

September 23, 1924.

Commissioner of Immigration, Boston, Mass.

SIR:

In re Quon Quon Poy, male, Chinese, ex SS. Prince George, June 25, 1924

In reply to your request, the above-named Chinese applicant was given a thorough physical examination, including x-ray plates, with a view to determining his approximate age. Although he looks older than the age claimed, the x-ray plates showed skeleton formation characteristic of a person in the vicinity of fifteen years of age, which is approximately the age claimed.

Respectfully, A. J. Xute, Medical Officer in Charge.

——— ———. Immigration Service, Chinese Division, Boston, Mass., Sept. 23, 1924.

[fol. 18] U. S. Department of Labor, Immigration Service

Office of the Commissioner, East Boston, Mass.

2500/5929. Sept. 12, 1924.

Medical Officer in Charge Boston Immigration Station.

SIR: Will you kindly arrange to have made a thorough examination of the Chinese applicant, Quon Quon Poy, with a view to determining his approximate age? He arrived at this port June 25, 1924, by SS Prince George. He claims to have been born February 10, 1910, according to which claim he is now fourteen years and seven months of age.

Respectfully, —— ——, Commissioner.

Exact copy as signed by —— ——. Mailed Sep. 12, 1924, by L. C. W.

[fol. 19] U. S. DEPARTMENT OF LABOR, IMMIGRATION SERVICE, EAST BOSTON, MASS.

September 12, 1924.

Board of Special Inquiry: A. W. Stockwell, Chairman & Recorder; John H. Jensen and J. V. Fitzgerald.

No. 2500/5929

Ex SS. "Prince George," Boston, June 25, 1924. C. N. R.

In re Quox Quox Poy, Applicant for Admission as the Son of a Citizen

* * * * * * *

NOTE.—This case was referred to the Board of Special Inquiry on September 12, 1924. (Previous record read and accepted.)

Applicant, duly sworn, testifies:
(Interpreter: Yee Chew Yim.)

Q. What is your name?
A. Quon Quon Poy.
Q. You are informed of your right to have a relative or

friend present at this hearing. Do you desire to avail yourself of this right?

A. No.

Q. Do you waive your right to have present a relative or friend and are you now willing to proceed with the hearing?

A. Yes.

Q. You are the same person who was examined by me on September 10 and again this morning?

A. Yes.

Q. Record of the testimony offered by you on those occasions will be made a part of the present proceedings. Do you understand?

A. Yes.

Q. Since your first appearance your alleged father, Quon Mee Sing, and your alleged brother, Quon Gong Set, have been examined and the record of their testimony will be made a part also of the present proceedings. Do you understand?

A. Yes.

NOTE.—J. V. Fitzgerald replaces Stockwell as Recorder.

Q. When you left home for the U. S. did you leave from the small or large door of *of* your house?

A. From the small door side.

Q. About what time of day did you leave your home on that occasion?

A. I left after breakfast, probably between eight and nine o'clock.

Q. After you left did you pass by the house opposite your small door?

A. Yes.

Q. Is the house opposite your small door a large or small house?

A. It is a small size house of two rooms.

Q. I asked you this morning how you know the house op- [fol. 20] posite your small door is a two room house. You replied, "I have never seen the house but my mother told me that it is a two room house opposite our small door."

A. I was mistaken, what I meant was that the day of my departure from home was the first time I saw that house opposite my small door.

Q. Who lives in this house opposite your small door.

A. Quon Hen Set, his wife, one son, no daughters.

Q. Describe his son?

A. Quon Shuck is his name, and he is about 13 or 14 years of age.

Q. Does Quon Shuck go to school.

A. Yes. He goes to school and attended school with me in home village.

Q. When I asked you two days ago to describe Quon Hen Set's son, you said he is about ten years of age and has not yet entered school. Which story is correct?

A. I was mistaken two days ago. I am right now.

Q. Are you sure that Quon Shuck is not more than 14 years of age.

A. Yes, he is about 13 or 14.

Q. If anyone should say that Quon Shuck is 20 years of age and is employed as a farmer, would that be a mistake?

A. Yes, that would be a mistake.

Q. Do you know anyone in your viliage named Quon Yum?

A. I have heard of him but he moved to another village 2nd month, this year, and I don't know where he is gone.

Q. Where did he live in your village before removal?

A. Counting from west, or school end of village, he lived in 3rd house, 5th row.

Q. How many houses in that row?

A. There were originally four houses in that row, but the two houses on 2nd and 3rd lots have been torn down this year.

Q. Then you mean to say that Quon Yum's house, which is the 3rd in that row, has been torn down since he moved away?

A. Yes.

Q. I asked you this morning if there have been any changes among the buildings of your village during the past four or five years and you answered "No". I again asked you if any new buildings had been erected or any old buildings torn down in the last four or five years and you again answered "No". Now you say that these two building were torn down during the past year. Which story is correct?

A. I was mistaken before, but I am right now.

Q. When did you first see that those buildings had been torn down and that the lots were vacant?

A. The first time I knew the buildings were torn down and that the lots were vacant was the day I left home for the U. S.

Q. How old was Quon Yum and what was his occupation?

A. I don't know his age, and I don't know what his occupation was.

Q. Who occupies the house opposite the schoolhouse, that is the first house, 2nd row from west.

A. Quon Kwok Shum, wife, one son, no daughter.

Q. Describe his son?

A. Quon Gew, about 20 years of age, and farmer, he is single.

Q. Who lives in 3rd house, 3rd row from the west?

A. I don't know.

Q. Your house is on the 4th lot, of the 4th row, and yet you don't know who lives in 3rd house, 3rd row, next to your row?

A. I don't know.

[fol. 21] Q. Is it not true that you pass by that house every day going and coming from school?

A. Yes, I pass by the house every day but I cannot remember who lives there.

Q. Are you sure that anyone lives in that house?

A. Yes, I know someone lives there, but I can't think of the name.

Q. Did you ever hear of the firm of Quon Fat Wing in Hong Kong?

A. Yes.

Q. Did you ever call at the office of that firm in Hong Kong?

A. That is where I purchased my ticket for America and where I waited for the steamer.

Q. Did you ever hear of the Soon Hing Hong Company, Hong Kong.

A. Yes, I visited that firm while I was in Hong Kong en route for the United States.

Q. Is the Soon Hing Hong Company located near the Quon Fat Wing Company?

A. They are about 15 minutes walk apart on different streets.

Q. Did you ever have any business dealings with the Soon Hing Hong Company?

A. At the time of my visit to the store, while in Hong Kong, I bought a face towel. That is the only business I had.

Q. Two days ago, according to the record, you testified that your father sent $400.00 to the Soon Hing Kong Company and you got your ticket there in order to come to America. How do you explain that?

A. I was mistaken. I meant to say that he sent the money to Quon Fat Wing's store.

Q. At his hearing yesterday your alleged father stated that the Quoan Fat Wing Company and the Soon Hing Kong Company are located in the same building. You state they are in different buildings on different streets. Who is mistaken?

A. There may be two stores by the same name, but the one where I went is on a different street.

Q. Have you anything further to say?

A. No sir.

Q. Have you thoroughly understood the interpreter.

A. Yes.

Defer for further medical examination.

[fol. 22] U. S. Department of Labor, Immigration Service, East Boston, Mass.

No. 2500/5929, 5/16, "Prince George." C. N. R. Boston, June 25, 1924

Sept. 10, 1924.

A. W. Stockwell, Inspector and Recorder.

In the Matter of Quox Quók Poy, "Son of a Citizen"

Soo Hoo Ung, Interpreter (sworn).

Applicant presents usual affidavit signed by his alleged father, Quon Mee Sing, executed before Ernest B. Rowe, notary public, at Boston on the 20th day of November, 1923,

with two photographs attached which the applicant correctly identifies as of his father and himself.

Description

Age 15; height 5′ 11″ in Chinese slippers; occupation, student; brown mole just above lobe of left ear; dark mole in middle of back of neck just below hair of head; scar on each side of neck about 1½″ below ear; several moles over right eye-brow; scar on knuckle on first finger of right hand.

Medical certificate

"This is to certify that the above-described person has this day been examined and is found to be afflicted with Uncinariasis, hookworm infection, that may affect ability to earn a living. Also ascaris lumbricoides and trichiurus, round and whip-worm infection of intestines."

(Signed) M. M. Gilbert, A. A. Surgeon. M. G. Kotler, A. A. Surgeon.

Applicant (sworn) testifies:

Q. What are your names?

A. Quan Quan Poy is my only name.

Q. What is your age, date of birth and birth-place?

A. 15 years old, born S T 2-1-1 (Feb. 10, 1910) at Joan Wing village, Hoi Ping dist.

Q. Can you read?

A. (Reads Chinese card).

Q. Were you ever before in the United States?

A. No.

Q. Who paid your passage to this country?

A. My father.

Q. How much money did you have on arrival?

A. A little over one dollar.

Q. To whom are you going?

A. I am going to my father—he is somewhere in Boston but I don't know the address.

[fol. 23] Q. What is your object in coming to the United States?

A. To go to school.

Q. Have you any brothers or sisters?

A. I have three brothers; no sisters.

Q. Give the names, ages, and present location of your brothers.

A. Quon Gong Set, given name, Quon Foon Set, marriage name; age 25. He is at present in Boston but I don't know his address. Quon Gong You, given name; Quon Foon Dong marriage name; age 24. He is also in Boston but I haven't his adress. Quon Gong Ying, aged 4, my youngest brother, is at home in China in Joan Wing village.

Q. Have you ever had any other brothers or sisters, natural or adopted?

A. No.

Q. Are you four brothers all of the same father and mother?

A. Yes.

Q. Were you all born at Joan Wing village in the same house?

A. I don't know whether my two older brothers were born in my village or some other village, but my youngest brother was born in Joan Wing.

Q. Why don't you know where your two older brothers were born?

A. They are older than I am so that I am not sure where they were born.

Q. Hasn't your family always lived in the same village?

A. So far as I know they have always lived in the same village. I have never asked whether my parents may have lived in some other village before I was born.

Q. In what vicinity is Joan Wing village located?

A. Mow Gong vicinity.

Q. Do you know the birth-dates of your two older brothers?

A. No.

Q. How many times has Quon Gong Set been married?

A. Only once.

Q. Where and when was he married?

A. He was married in Joan Wing village but I don't know what year.

Q. Where were you at the time of his marriage?

A. I was attending school at the time he was married—I think I was about 8 or 9 years old.

Q. Describe Quon Gong Set's wife.

A. Fong She, about 23 years old, natural feet, from Sar Kai village, Hoi Ping district.

Q. How far is Sar Kai from your village?

A. I have never been there and I don't know how far it is.

Q. Has Quon Gong Set any children?

A. He has two sons, no daughters.

Q. What are the names and ages of his sons?

A. Quon Bak Ai, age 4; he was born in C. R. 10 but I don't know the date; and Quon Bak Sum aged 3. He was born in C. R. 11 but I don't know the date.

Q. How many times has Quon Gong You been married?

A. He has been married also only once.

Q. When and where was he married?

A. I don't know when he was married but he was married in the home village.

Q. How old were you at the time of his marriage?

A. I was about ten.

Q. Described Quon Gong You's wife?

A. Woo She, 23 or 24 years old, natural feet, from Woo Ook village, Hoi Ping district.

Q. Has Quon Gong You any children?

A. He also has two sons, no daughters.

Q. What are the names and ages of the sons?

A. Quon Wing Jew, about three years old but I don't know the date of his birth. The other is Quon Wing Heung, aged 2. I don't know the date of birth.

Q. Were these children of your two brothers born in your house?

A. Yes.

Q. Were you living at home at the time of their birth?

A. I attended school in the home village but lived at the school and only went home for my meals. The remainder of the family lived at home.

[fol. 24] Q. By what names do you know your father?

A. Quon Mee Sing, given name; Quon Sung Tuey, marriage name; he also has another name—Quon Tew; no others.

Q. How old is your father and when and where was he born?

A. I know that he was born somewhere in the United States on the 8th month and 14th day but I don't know the year. He is 48 years old.

How do you know he was born in the United States?
My mother told me that he was born in the United
es.
Have you ever seen your father?
The first and only time I ever saw my father was on
isit to China in C. R. 9, returning to the United States
R. 11 (1922) with my second brother, Quon Gong You.
About what month did he leave on his return to the
ed States in C. R. 11?
I don't remember.
Was it summer or winter?
I have forgotten whether it was summer or winter.
Do you remember two years back no better than that?
I have forgotten all about it but I know they left home
R. 11.
Where were you at the time of their departure?
I was at school at that time.
Did you not bid them good-bye when they left?
I bade them good-by at home the morning of their
rture.
And you still say that you cannot remember the time
e year in which they left?
I don't know whether it was cold weather or hot
her. I have forgotten about it.
Has your father any brothers or sisters?
He has one brother, no sisters.
What is the name, age and present location of his
er?
His given name is Quon Jee Sai; he is single; I don't
his age. I know he is in America but I don't know
e.
Is he older or younger than your father?
He is younger but I don't know how much; I have
seen my uncle.
How do you know he is unmarried?
My mother told me that.
Are your father's parents living?
They died a long time ago before I was born.
What were their names?
Quon Hing was his given name and Quon Gong Sing
his marriage name. My grandmother's name was
She.

Q. Did they die in China or abroad?

A. I never asked my mother and I don't know.

Q. Do you know where your paternal grandparents are buried?

A. They are buried at Nek Hill about half a li from the head of our village.

Q. Have you ever visited their grave?

A. When my father was home in C. R. 9 I visited the grave with him. I visit the grave every year.

Q. How many times did you visit the grave with your father?

A. Only two times—once each year while he was at home.

Q. Did anyone accompany you and your father on those occasions?

A. My two older brothers accompanied us—no others.

Q. Are the remains of your grandparents in the same grave and is the grave marked in any way?

A. They are both buried in the same grave but there is no stone or tablet to mark the grave. It is not marked in any way the grave being identified by its location.

[fol. 25] Q. How many times has your father been married?

A. Only once.

Q. Describe your mother.

A. Der She, aged 48, natural feet, from Shon Hong village, Hoi Ping district.

Q. Did your mother ever have any brothers or sisters?

A. No.

Q. Are your mother's parents living?

A. They died many years ago—I have never seen them.

Q. What were their names?

A. I don't know.

Q. Where are they buried?

A. I don't know.

Q. What have you been doing in China?

A. I began school at the age of ten and left school about a month before coming to the United States.

Q. Did you always attend school in the same place?

A. Yes, always in the same school and in the home village.

Q. Did you live at the school-house during the entire period of your attendance?

A. Yes I always lived at school.

Q. Did you attend school all the time while your father was on his visit in China?

A. Yes, all the time.

Q. During his visit did your father spend all the time in the home village or did he make some trips to other places?

A. He spent the entire time at home.

Q. Did you take any trips with him to any place other than your grand-parents' grave?

A. No, I never went with him to any other place than my grandparents' grave.

Q. And you made just two visits to the grave with your father and your two brothers?

A. Yes, that is right.

Q. Did your two older brothers attend the same school as yourself?

A. I don't know whether they attended that school or some other school.

Q. Is there more than one school in your village?

A. There is only one schoolhouse in our village, and only one school.

Q. Do you think that your older brothers may have attended school in some other place than the home village?

A. I don't know.

Q. Did you never hear your mother or your brothers speak about their schooling?

A. No, I never heard them say anything about it.

Q. Had both of your older brothers finished school before you began school?

A. They finished school before I started school. I never remember seeing them go to school—they finished long before I began school.

Q. What was the name of your teacher?

A. Quon Sung Yook—he was the only teacher I had.

Q. Did he have any other name?

A. That is the only name I know—I don't know whether he was married—he lived in another village.

Q. Describe your home village of Joan Wing?

A. There are seven rows with about 17 or 18 houses. The village faces south and the head of the village is at the right or west.

Q. Counting from the head of the village or the west, how many houses in each row?

A. Counting from the head or west there are in the 1st row, 1st lot, the school-house

2nd row, two houses on the first two lots

3rd row, three houses first three lots

4th row, four houses on the 1st, 3rd, 4th and 5th lots

5th row, two houses on the 1st and 4th lots

6th row, two houses on the 2nd and 3rd lots

7th row, social hall on the 1st lot.

[fol. 26] Q. That makes fifteen houses—is that all?

A. At the foot of the 5th row there is an old shanty used as a store-room—I don't know to whom it belongs.

Q. Then there are only sixteen buildings in all?

A. That is correct.

Q. How many houses in the village does your family own?

A. Only one.

Q. Where is it located?

A. It is the third house on the 4th lot of the fourth row.

Q. Describe the house.

A. It is a regular five-room house with large and small doors, the large door facing west or the head of the village. It is a brick house with tile floors.

Q. Who now occupies the house?

A. The wives of my two brothers and their children, my mother and my youngest brother.

Q. How are the families divided in the house?

A. My oldest brother's family occupies the small-door side and my second brother's family the large-door side. My mother and younger brother occupy the middle room.

Q. What room did your father occupy on his last visit to China?

A. My father occupied the middle room with my mother.

Q. What room did you occupy when you were at home?

A. I lived in the school-house up to the time that I left China for this country.

Q. Then you have never lived at home since beginning school at ten years of age?

A. No, I have always lived at school since ten years of age.

Q. How long have the families occupied the rooms as described by you?

A. Ever since my oldest brother was married his family has occupied the small-door room and my mother the large-door room; after my second brother was married my mother

moved into the middle room leaving the large-door room to my second brother.

Q. Did your family ever own more than this one house in the home village?

A. No.

Q. How do you know?

A. My mother told me that we never owned any other house than that one.

Q. Who occupies the house just back of yours on the fifth lot of your row?

A. Quon Quok Hong with wife, one son and two daughters.

Q. What is Quon Quok Hong's occupation?

A. He is at home but I don't know what his occupation is.

Q. Did you ever see his wife?

A. I have seen her perhaps once in six months.

Q. Can you describe her?

A. I don't know her name or age but she has released feet.

Q. How do you know whether they are released or natural feet?

A. All I know is that she walked like a person with released feet.

Q. Describe Quon Quok Hong's son.

A. His name is Quon Koon. He is 13 or 14 years of age and attends school in the home village.

Q. Did he attend school with you?

A. He attended school with me this year for the first time.

Q. Describe Quon Quok Hong's daughters.

A. I don't know their names or ages. I have very seldom seen them but I should say they were between 15 and 20 years of age.

Q. You are sure that the daughters are older than the son?

A. Yes.

Q. Who lives in the first house, first lot, of your row?

A. Quon Sung Chun. He is at home and lives there alone. His wife died many years back before I remember. So far as I know he never had any children.

[fol. 27] Q. You would know if Quon Sung Chun had any children would you not?

A. The old man is there all alone. He may have some grown-up children but there are none there at the present time.

Q. Do you know anyone in your village by the name of Quon Gim Hong?

A. No, I don't know anyone by that name.

Q. Do you know——

A. (Interrupting.) I remember now I do know Quon Gem Hong—he lives in the first house of the fifth row counting from the west or head. He lives there alone but I do not know his occupation. He is single.

Q. Who lives in the first house of the third row counting from the head?

A. Quon En You lives there with another man named Quon Yick—they are there alone. Quon En You is a pedlar and Quon Yick sometimes works as a farmer in the home village.

Q. Is either of them married?

A. They are both single.

Q. How do you know?

A. Because I have never seen any woman in the house. I pass by the house every day and I never saw anyone there but the two men.

Q. About how old are these men?

A. They are both between 30 and 40.

Q. Who lives in the house in front of your house in the home village?

A. Quon Kwok Long with wife and one son, no daughters. Quon Kwok Long works at Mow Gong market in some grocery store.

Q. Have you ever seen Quon Kwok Long's wife?

A. No.

Q. How do you know he has a wife?

A. I know that he has a son and he must have a wife.

Q. Describe Quon Kwok Long's son.

A. Quon Kong, aged 14, attending school in the home village.

Q. Did he attend school with you?

A. He was with me at school this year. He was not at school with me before this year.

Q. Who lives in the house opposite your small door?

A. Quon Hen Set with wife and one son.

Q. What is Quon Hen Set's occupation?

A. He is at home but I don't know his occupation.

Q. Did you ever see his wife?

A. No.

Q. Describe his son.

A. Quon Set is his name and he is about ten years of age. He has not yet entered school.

Q. Describe the school-house in your village.

A. It is a brick building one story, with three rooms and tile floors. It is located in the first lot of the first row counting from the west or head.

Q. How are the three rooms used?

A. There are three small rooms, one of which is used by the teacher and the other two by the students who live at the school; and then there is one large room for recitations.

Q. Of what are the partitions between the rooms constructed?

A. Of brick.

Q. Does your school have any name?

A. Jung Wah Hok How school is the full Chinese name.

Q. Describe the social hall located on the first floor of the last row of your village.

A. It is a one-story building of brick containing one large room used as a hall for social purposes.

Q. Is there a wall or any gates to your village?

A. Surrounding the back of the village is a hedge of trees and bamboo. At each end of this hedge, at the head and tail of the village, is a gate of posts or timber. Each gate is about 15 feet high and 15 or 20 feet wide. In the center of each gate is a double door, 7 or 8 feet wide that is closed every night. No other walls or gates.

[fol. 28] Q. Are there any bodies of water in or near your village?

A. Only a fish-pond in front of the village.

Q. Where do the people in your village get their drinking water?

A. From a well located about 30 feet in front of the school house.

Q. What is the nearest market to your village?

A. Mow Gong is the nearest. It is about half a li to the west.

Q. Is the market known by any other name?

A. That is the only name I know.

Q. What are the market days?

A. I don't know.

Q. Did you go to market with your father during his last visit to China?

A. No.

Q. Did you ever hear of Hen Sin market?

A. No, I don't know of it.

Q. Name some of the near-by villages.

A. About half a li to the east is Gow Duey Long village. North of the village is Gim Wong village about half a li away. South of the village is Bok Sar Fet about half a li distant.

Q. Where is Wun San Doo village?

A. North-east of our village about half a li away.

Q. Who made the arrangements for your trip from China to the United States?

A. My father sent $400.00 to Soon Hing Hong Co. at Hong Kong. My father previously had written me to go to that Company and get the money. I followed instructions, obtained the money, bought my own ticket and took passage for the United States.

Q. Describe the journey from your home to Hong Kong.

A. I walked about one po from my home to Chok Hom market where I took a boat to Gon Yick station; at Gon Yick I took a train for Bak Kai where I took the steamer for Hong Kong.

Q. How long did the entire journey to Hong Kong occupy?

A. One day and two nights. I left home at night. At 7 o'clock the next morning I took the boat at Chok Hom, and the second night was occupied by the steamer trip from Bak Kai to Hong Kong.

Q. I will ask you to identify photograph attached to receipt for certificate of identity in Boston file 2500/5025.

A. That is my second brother, Quon Gong You (Quon Quong You). (Correct.)

Q. Of whom is this a photograph (Referring to photo attached to affidavit in Boston file 2500/5249?

A. That is my older brother, Quon Gong Sick (Quon Quon Thlet). (Correctly identified.)

Q. Are there any articles of American manufacture at your home left by your father?

A. Nothing that I know o[illegible] I have never seen anything at home of the kind.

Q. Do you know anyone in the United States besides your father and two brothers?

A. No, I don't know anyone else here.

Q. Has your father at any time sent home by visitors from America any money or letters or gifts?

A. I don't remember of anyone coming from the United States to our house with anything from my father.

Q. Are there any changes or additions you wish to make in your testimony?

A. No changes or additions.

Q. Have you thoroughly understood the interpreter?

A. Yes.

Signature of applicant in Chinese: X X X*

[fol. 29] 2500/5929

Quon Quon Poy

(Sept. 11, 1924.)

Case resumed September 11, 1924; same examining inspector and interpreter.

(Inspector Stockwell and interpreter Soo Hoo Ung (sworn).

Witness presents certificate of identity No. 6959 issued at the port of Vancouver, B. C., June 18, 1912, by John L. Zurbrick, immigration official in charge, in the name of (Quon) Mee Sing, alias Quon Tew, attached to which is a photograph that is a good likeness of the witness. (Certificate endorsed and returned.)

Witness, sworn, testifies:

Q. What are your names?

A. Quon Mee Sing; given name; Quon Sung Tuey, marriage name; school name, Quon Tew; no others.

[*Chinese characters not reproduced.]

Q. What is your present age, occupation and address?

A. Age, 48; present address 15 Tyler St., Boston; occupation, laundryman.

Q. When did you last testify before the immigration officials?

A. Last September, at this immigation station, I testified for my oldest son, Quon Gong Set, an applicant for admission. (Boston file 2500/5249).

Q. Are you the same Quon Mee Sing who testified at this station in September, 1922, in behalf of Quon Quon You (Boston file 2500/5025).

A. Yes.

Q. When did you make your last visit to China?

A. The last time I left Boston in C. R. 9 (I forget the month and day) the first part of the year for China and returned in C. R 11 about the middle of September. I reached Boston in C. R. 11-8-12 (Oct. 2, 1922)—no, I mean the 2nd day of the 8th month (Sept. 22)—and was discharged the same day (Boston file 2500/2161).

Q. What was the date of your previous visit to China?

A. I left Boston in K. S. 34 (1908) and returned the first part of the year in C R 1 (1912) (Boston file 1097).

Q. Do you wish to make any changes or corrections in the testimony you have given before the immigration officials on these various occasions?

A. No.

Q. The statements you made on those several occasions will be made a part of this record. Do you understand?

A. Yes.

Q. Have there been any changes in your family history since you last testified before the immigation officials?

A. No changes.

Q. I will ask you to identify photographs attached to affidavit in Boston file 2500/5929.

A. Myself and my son, Quon Quon Poy, the applicant. (Correctly identified.)

Q. Of whom is this photograph (referring to photo attached to receipt for certificate of identity in Boston file 2500/5025)?

A. My second son, Quon Quon You. (Correct.)

Q. Why do you come here today?

A. To testify for my son, Quon Quon Poy, an applicant for admission to the United States.

[fol. 30] Q. Has the applicant any other name?

A. No other name.

Q. What is his age, date of birth and birth-place?

A. Age 15, born S T 2-1-1 (Feb. 10, 1910) at Jon Wing Lee village, Hoi Ping dist.

Q. Has the applicant always lived in that village?

A. Yes, always in the same village and the same house.

Q. Have you and your family always lived in that village?

A. They have always lived in that village and in the same house.

Q. Where were you at the time of the applicant's birth?

A. I was at home in China at the time of his birth.

Q. What was the applicant doing at the time of your last visit to China?

A. He was attending school, at the home village.

Q. Did you see him every day?

A. Yes. He came home every day for his meals.

Q. During your last visit in China did you spend all your time in the home village or did you make trips away from home?

A. I always remained at home.

Q. Did you not visit the market-place or the graves of your parents?

A. Yes, I visited the market about every day. I also visited my parents' grave once each year.

Q. How many times did you visit your parents' graves while you were in China?

A. The first time in C R 10, early in the year, with the applicant and my two older sons. I also visited once more the next year, also with my three sons.

Q. According to our record you testified in 1922 that you made only one visit to the grave and that you were accompanied only by your son Quon Gong You. At another time you testified that you made two visits and that your two older sons accompanied you. You now say that you made two visits and that your three sons accompanied you. Which is correct? (Boston files 2500/5025 and 5249).

A. The first visit I am not sure about—whether two or three sons were with me. The second time the three accompanied me.

Q. How many years did the applicant attend school in China?

A. He began school at about 10 years of age and continued until coming to this country.

Q. How many schools are there in your village?

A. Only one.

Q. Did you ever see the school-house?

A. I have visited it once or twice on my previous trip to China.

Q. Can you describe the school-house?

A. It is about the size of a five-room house and has a few rooms inside but I don't know how many.

Q. Did your two older sons attend school in this building?

A. Yes, they had all their schooling there.

Q. I will show you a plan of the village of Jon Wing Lee attached to Boston file 2500/5025 which you submitted at the time you testified for your son Quon Gong You. Is that a correct plan of your village?

A. Yes.

Q. Describe your village.

A. The village faces south. There are seven rows and about 16 or 17 houses. There is no head to the village but all the large doors face west and we call that the head.

[fol. 31] Q. How many houses in each row counting from the west?

A. (Refers to his plan in file 2500/5025.) First row contains only the school-house; 2nd row, three houses on the first three lots; 3rd row, three houses on first three lots; 4th row, four houses on the 1st, 3rd, 4th and 5th lots; 5th row, four houses on the first four lots; 6th row, one house on the third lot (first two lots vacant); 7th row, social hall.

Q. Are there no other houses in the village?

A. There is a small brick building back of the village very close to the foot of my row that is used for storage. That is all—there are no other buildings.

Q. Counting the brick building that makes eighteen buildings in the village. The applicant account for only sixteen and in two of the rows he places a less number of buildings than you. How can this discrepancy be explained?

A. I am right. My son must have made the mistake. There are one or two small houses that perhaps he failed to count.

Q. Where are the small houses?

A. In the fifth row, counting from the west, the second and fourth houses are only about one-third regular size containing two rooms each.

Q. Is that the only explanation you can make of this difference between your testimony and the applicant's?

A. Yes.

Q. While you were at home during your last visit what room in the house did you occupy?

A. I occupied the middle room with my wife.

Q. How was the remainder of the house occupied?

A. The room on the large-door side was occupied by Quon Gong You and family; the small-door room was occupied by Quon Gong Set and his wife and children.

Q. Do you know anyone in your village by the name of Quon Quok Hong?

A. Yes. He occupies the house back of ours with his wife and one son, no daughters.

Q. Describe Quon Quok Hong's son.

A. Quon Goon, 13 or 14 years old.

Q. Do you know if Quon Quok Hong ever had any daughters or any other sons?

A. I don't know of any except this one son.

Q. If he had any other son or daughters living at home you would know about it would you not?

A. Yes, I would. I know that when I was at home he only had this one son and no daughters.

Q. Do you know anyone in your village named Quon Sung Chun?

A. I do not recall that name.

Q. Who lives in the first house of the first lot of your row?

A. Quon Sung Chun—I remember now. He works at Hong Kong, but this wife and one son are at home.

Q. Describe the son.

A. His name is Quon Fong and he is a little over ten years of age.

Q. Has Quon Sung Chun been married more than once?

A. He has been married twice, this son being by the second wife.

[fol. 32] Q. Does Quon Sung Quon get home very often?

A. He comes home six or eight times a year and spends a few days and then returns to Hong Kong.

A. About how old a man is Quon Sung Chun?

A. About my age (48).

Q. Do you know anyone in your village named Quon Gem Hong?

A. Yes.

Q. Where does he live and how much of a family has he?

A. He lives in the first house of the fifth row. He is unmarried and lives there alone.

Q. Who lives in the first house of the third row counting from the west?

A. Quon En You lives there with one son and no daughters. His wife is dead.

Q. Describe the son.

A. I have never seen the son. He is grown up and is abroad.

Q. Do you know how many years Quon En You's wife has been dead?

A. I don't know when she died.

Q. Do you know anyone in your village named Quon Yick?

A. Yes, he and Quon Sung Chun own together the first house in my row and Quon Yick occupies part of the house. He is unmarried and they have both lived in that house many years.

Q. What is the occupation of Quon Sung Chun and Quon Yick?

A. Quong Sung Chun does nothing; his son, Quon Fong, goes out peddling sometimes. Quon Yick is a farmer.

Q. Who lives in the house in front of your house?

A. Quon Kwok Long occupies that house with wife and one son, no daughters. The son is away and I did not see him on my last visit home.

Q. What does Quon Kwok Long do?

A. He was a farmer when I was at home working in the home village.

Q. What is the name and age of his son?

A. I don't know.

Q. Did you ever see the son?

A. I have heard that he had a son but I never saw him either on my last trip or the trip before that.

Q. Do you think the son is over or under 20 years of age?

A. I think he is under 20. He is away from home most of the time working for different people. He was away all the time during my last visit home.

Q. Who lives in the house opposite your small door?

A. Quon Hen Set lives there with his wife and one son. He sometimes works as a farmer and sometimes in the market.

Q. Describe the son.

A. The son's name is Quon Shuk and he is about 18 or 20 years old. He works out as a farm laborer.

Q. Did you see the son when you were at home last?

A. I did not see him on my last visit home as he was away, but I remember seeing him on my previous visit in K. S. 34 (1908).

Q. Do all these families concerning whom you have testified live in regular five-room houses?

A. Quon Hen Set occupies one of the small two-room houses. The others occupy large houses.

Q. Who occupies the other small house—the second house in the fifth row counting from the west?

A. Quon Yum lives there alone; his wife is dead. He is about fifty years of age and sometimes works as a farmer. He had one son who is abroad.

[fol. 33] Q. Who occupies the house opposite the schoolhouse—that is the first house in the second row counting from the west?

A. Quon Kwok Shun. He is a farmer and lives there with his wife and one son.

Q. Describe the son.

A. I have never seen him at home. He was abroad the last time I was at home but I saw him on my previous visit in K. S. 34. I don't know his name.

Q. Who lives in the third house of the third row?

A. That house is vacant—there was no one living there when I was at home last.

Q. Are there any gates or a wall around your village?

A. There is no wall but there are two gates, one at each end—the head and tail of the village.

Q. Describe the gates.

A. They are of wood—wooden posts or timbers about 15 or 20 feet high and about the same width. They close at night.

Q. Who made the arrangements for the applicant's journey to the United States?

A. I sent $400 to Hong Kong to the firm of Quon Fat

Wing. I also sent a letter to my son for him to come to Hong Kong and call for the money,—to call at the firm of Quon Fat Wing.

Q. Did you ever hear of the firm of Soon Hing Hong Co.?

A. Yes. That firm is in the same building in Hong Kong.

Q. Describe the journey from your home to Hong Kong.

A. I walk from my home to Chok Hom market, then take a boat to Kong Yick station, then take a train to Bak Kai station and then take a steamer to Hong Kong.

Q. How long does the entire trip occupy?

A. About 24 hours. We started from home about 3 o'clock in the morning and reached Hong Kong at midnight, landing the next morning.

Q. Are there any additions or changes you wish to make in your testimony?

A. No changes or additions.

Q. Have you thoroughly understood the interpreter?

A. Yes.

Signature of witness in Chinese: X X X.*

Witness is the holder of certificate of identity #46585 in the name of QUON QUON THLET, aged 24 issued at the port of Boston on September 10, 1923, by Frank S. Abercrombie, immigration official in charge, attached to which is a photograph which is a good likeness of the holder. (Certificate endorsed and returned.)

Witness, sworn, testifies (brother):

Q. What are your names?

A. Quon Gong Set, given name; Quon Foon Set marriage name, no others.

[fol. 34] Q. What is your age, occupation and address?

A. Age 25, laundryman, present address, 15 Tyler street.

Q. When and where did you last testify before the immigration officials?

A. Last August when I was admitted to this country.

Q. Is that the only time you have testified?

A. Yes.

Q. Do you wish to make any changes in the testimony you gave at that time?

[*Chinese characters not reproduced.]

A. No, everything was correct at that time.

Q. The testimony you gave at that time will be made a part of this record—do you understand?

A. Yes.

Q. Have there been any changes in your family history since you testified last year?

A. No, no changes.

Q. I will ask you to identify two photographs attached to affidavit in Boston file 2500/5929.

A. They are my father and my brother, Quon Quon Poy, the applicant. (Correct.)

Q. Whom does this photograph represent (referring to photo attached to receipt for certificate of identity in Boston file 2500/5025).

A. That is my second brother, Quon Gong You. (Correct.)

Q. Where is Quon Gong You at the present time?

A. He had some trouble with my father and went to some place near Detroit about two or three months ago and I haven't heard from him since.

Q. Where did he live prior to his departure?

A. At 15 Tyler street, Boston, same address as myself, working as a laundryman.

Q. Why do you come here today?

A. To testify for my brother, Quon Quon Poy, who is an applicant for admission.

Q. What is Quon Quon Poy's age, date of birth and birthplace?

A. Age 15, born S. T. 2-1-1 (Feb. 10, 1910) at Jon Wing village.

Q. What has he been doing in China?

A. He has been attending school at home—he began at about ten years of age.

Q. Are you and the applicant blood brothers with the same father and mother?

A. Yes.

Q. How many schools are there in your village?

A. Only one school.

Q. Did you attend the same school as the applicant?

A. Yes.

Q. Describe the schoolhouse.

A. It is located at the west end of the village. It is brick

with two or three rooms inside, earth floors. The partitions are of brick.

Q. For what purposes are the two or three rooms used?

A. The school-teacher occupies one room; sometimes the students occupy the other two rooms. These rooms are at the back of the building leaving a large room in front for recitations.

Q. Has the school any particular name?

A. The name of the school is Jung Wah Hok How.

Q. What was the name of the teacher?

A. Quon Sung Yook.

Q. Describe your home village.

A. There are seven rows with 17 or 18 houses. The village faces south. There is no head but the large doors face west.

Q. Counting from the west, how many houses in each row?

A. The first row, only the school-house.

2nd row, 3 houses on the first 3 lots

3rd row, 3 houses on first three lots

4th row, 4 houses on the 1st, 3rd, 4th and 5th lots

[fol. 35] 5th row, four houses—there is a house on the first lot, and then two or three vacant lots, and then two houses and then a small house

6th row, one small house at the lower end of the row—no others

7th row, one social hall in the first lot—no other houses.

Q. The applicant's plan of the village differs somewhat from yours. He has a less number of houses and a different distribution. Which plan is correct, yours or his?

A. I think my brother is correct.

Q. Why he should be more correct than you?

A. I may be mistaken about the small houses. There may have been changes in the small houses since I left but not in the big houses.

Q. You have mentioned two small houses—one in the 5th row and one at the lower end of the 6th row—are there any others?

A. There is also one small house in our row—it is the second house on the third lot of our row. That makes three small houses in the village all together.

Q. Who occupies the house back of yours?

A. Quon Qwok Hong with wife, son and two daughters. He is a farmer.

Q. Describe the son.

A. Quon Goon, aged 13 or 14. He was attending school at the time I came to this country.

Q. Did you ever see the daughters?

A. I have seen the daughters but I don't know their names. Their ages would be from 9 to 12.

Q. You are sure that they are younger than the son, their brother?

A. Yes, the son is older than his sisters.

Q. Who lives in the first house of the first lot of your row?

A. Quon Sung Chun and Quon Yick. Quon Sung Chun has a wife and one son, no daughters, live there; Quon Yick is unmarried.

Q. Did you ever see Quon Sun Chun's wife?

A. No, I have never seen her.

Q. How do you know he has a wife?

A. I meant that I have not seen her lately. I saw her before.

Q. About when was the last time you saw her?

A. About four or five years ago.

Q. How do you know she has not since died?

A. I was away from home working more or less so that I could not see her. But if she had died I am sure that I should have heard of it.

Q. Do you know whether Quon Sung Chun has been married more than once?

A. I don't know. I only know that he had that one wife.

Q. Describe Quon Sung Chun's son.

A. Quong Fong about 14 or 15 years of age. When I left home he was attending school.

Q. What is Quon Sung Chun's occupation?

A. He is a grocery clerk and works around at different places, being seldom at home.

Q. Do you know anyone in your village named Quon Gem Hong?

A. Yes.

Q. Where does he live?

A. He lives in the second house of the 6th (sixth) row

counting from the west. He is unmarried and lives there alone.

Q. Who lives in the first house of the fifth row counting from the head?

A. Quon Gen Hong lives there—I was mistaken when I said he lived in the sixth row.

[fol. 36] Q. Who lives in the first house of the third row, counting from the west?

A. Quon En You lives there with one son. His wife is dead.

Q. Describe the son.

A. The son is Quon Teng. He is abroad—he is much older than I am.

Q. Is Quon Teng married?

A. Yes, his wife is at home in the house with Quon En You; she has a son about 8 or 9 years old with her.

Q. Who lives in the house in front of your house in the home village?

A. Quon Kwok Long with wife and one son live there together.

Q. Describe the son.

A. Quon Gen, about 12 or 13 years old; when I left home he was working with his father as a farmer.

Q. Do you know if he ever attended school?

A. I don't know.

Q. Who lives in the house opposite your small door?

A. Quon Hen Set lives there with his wife and one son. Quon Hen Set works at Mow Gong Market, or did when I left home.

Q. Describe the son.

A. Quon Set or Shuk, a little over twenty years of age. He is farmer in the home village. He is not yet married.

Q. Is Quon Hen Set's house a full size five-room house or a small house?

A. It is only a two-room house.

Q. Do you know anyone in your village named Quon Yum?

A. Yes.

Q. Where does he lives and how much of a family has he?

A. I don't know what house he occupies and I don't know that he is married—I know that he is single.

Q. Was he ever married?

A. No.

Q. About what is his age?

A. About 17 or 18 years old. He lives with his mother. I think his father is abroad as I haven't seen him at any time.

Q. Do you know who lives in the second house of the fifth row counting from the head? That is, counting from the west?

A. That house is occupied by Quon Gim who is about 40 years old and lives there alone. I don't know whether or not he is married.

Q. Who occupies the house opposite the school-house, that is, the first house in the second row from the west?

A. Quon Kwok Shun with wife and one son, no daughters. He is a farmer.

Q. Describe the son.

A. Quon Gow, a little over 20 years of age. He is single and is a farmer.

Q. Has Quon Gow ever been abroad?

A. He has never been abroad to my knowledge.

Q. You would know if he went abroad would you not?

A. I would be likely to know it as I was not away from home more than a few months at a time.

Q. Describe the journey from your home to Hong Kong.

A. We walk from my home to Chok Hom market where we take a steamer to Gon Yick station; then a train to Bak Kai; from Bak Kai we take the steamer to Hong Kong.

Q. Have you anything further to say—any changes or additions to your testimony?

A. I want to say that Quon Gen Hong occupies the first house in the fifth row counting from the west.

Q. You have already said that. Is there anything else?

A. No.

Q. Have you thoroughly understood the interpreter?

A. Yes.

Signature of witness in Chinese: X X X.*

[*Chinese characters not reproduced.]

[fol. 37] 2500/5929

QUON QUON POY

(Sept. 12, 1924.)

Case resumed September 12, 1924, before same inspector and interpreter. (Inspector: Stockwell. Interpreter: Soo Hoo Ung.)

Interpreter sworn.

Applicant, recalled, sworn, testifies:

Q. What is your name?

A. Quon Quon Poy.

Q. Are you the same Quon Quon Poy who testified before me a day or two ago?

A. Yes.

Q. Have there been any changes among the buildings of your village during the past four or five years?

A. No.

Q. No new buildings have been erected and no old buildings torn down in the last four or five years?

A. No.

Q. Then the description you gave a day or two ago of your village represents the village as it has been for the past four or five years?

A. Yes.

Q. According to your description there are two houses in the second row counting from the west. Is that correct?

A. There should be another house in that row but I don't know who lives there.

Q. Do you know who lives in the first two houses?

A. I know who lives in the first house—that is Quon Kwok Shun—but not who lives in the second house.

Q. How long has the third house in that row been built?

A. It has been there for many years that I know of.

Q. Then how does it happen when you assisted me the other day in drawing a plan of the village you insisted on putting in only two houses for that row?

A. I forgot it the other day.

Q. How did you happen to forget it?

A. I couldn't think of that house at the time as I didn't know who occupies it.

Q. I will ask you again if there are any other changes that you wish to make in the arrangement of rows and houses in your village.

A. No, that additional house in the second row is the only change—the remainder is correct.

Q. How long have the 2nd and 3rd lots of the fifth row been vacant?

A. I only know about the lots this year. I always go out my large door and pass by on the other side and I don't see the lots.

Q. How did you happen to see the lots this year, then, if you always pass out the other side?

A. When I started for the United States I came out the other end of the village and so passed by them.

Q. Was that the only time you saw those lots this past year?

A. Yes, that was the first time I ever went out that way.

Q. Was that the first time you ever saw those lots either this year or previous years?

A. Yes, that is the first time I ever saw the lots.

Q. You claim to have lived in the fourth row ever since you were born and yet you say that you never observed the lots in the row adjoining your row until a few months ago when you started for America. Is that correct?

A. That is true.

Q. When did you first observe the number of vacant lots in the sixth row?

A. I could observe the vacant first lot from the front of the village and I have known of it for some years.

[fol. 38] Q. Are you sure that there is only one vacant lot in the sixth row?

A. I know there is only one vacant lot in front but I don't know how many there may be back of the two houses on the second and third lots. I know there is only one vacant lot in front.

Q. If anyone said there are two vacant lots in front in the sixth row would that person be mistaken?

A. He must be mistaken.

Q. Have those two houses on the 2nd and 3rd lots of the sixth row been standing there as long as you can remember?

A. I know that the two houses have been there for as many years as I can remember.

Q. Are all the houses in your row regular five-room houses?

A. All except the house in front of mine which is a three-room house.

Q. Are there any other small houses in the village?

A. Yes, the second house on the fourth lot in the fifth row is a two-room house.

Q. Has that always been a two-room house?

A. It has always been a two-room house.

Q. How do you know?

A. I have never seen the house but my mother told me that it is a two-room house opposite our small door.

Q. Are there any other small houses in the village?

A. No.

Q. Who lives in the house back of your house?

A. Quon Kwok Hong with wife and one son and two daughters.

Q. Are the daughters older or younger than the son?

A. The daughters are older than the son.

Q. How do you know that the daughters are older than the son?

A. I have seen them and they are both taller than the boy.

Q. Have they always lived at home?

A. I know their parents own the house and the daughters must live there but I don't know where they sleep.

Q. If anyone said that the son is older than the daughters he would be mistaken would he not?

A. All I know is that the daughters are taller than the son and I think they must be older.

Q. Who lives in the first house of your row?

A. Quon Sung Chun lives there alone.

Q. How about his family if any?

A. His wife is dead. He had a son who went to Havana two or three years ago—I don't know his age but I know he was over twenty years old.

Q. Is that the only son or daughter he ever had?

A. He has a little grandson, aged 4 or 5 years, with his daughter-in-law also living with him—I don't know the name of the grandson.

Q. Then there are three persons living in that house?

A. Yes.

Q. Two days ago you said that Quon Sung Chun lives there alone and that so far as you knew he had no children. How do you explain that?

A. I made a mistake the other day.

Q. How could you make such a mistake as that?

A. The daughter-in-law spends most of her time with her mother in another village and so I forgot about her.

Q. How do you know she spends so much time with her mother?

A. My mother said that she spends most of her time with her mother.

[fol. 39] Q. About how old a man is Quon Sung Chun and what is his occupation?

A. He is a farmer a little over fifty years of age.

Q. Has he always been a farmer so far as you know?

A. He has always been a farmer in the home village.

Q. Do you know where Quon Yick lives in your village?

A. He lives with Quon Sung Chum in the first house of my row.

Q. Where does Quon En You live?

A. He lives in the first house of the third row.

Q. Two days ago you say that Quon En You and Quon Yick live together in the first house of the third row counting from the west—how do you explain that?

A. I have just made a mistake. What I said two days ago is correct—Quon En You and Quon Yick live together in the first house of the third row.

Q. Is Quon Yick married?

A. No he is single.

Q. Is Quon En You married?

A. No, he is also single.

Q. Do Quon Yick and Quon En You live alone or is there someone living with them?

A. So long as I can remember the two have lived alone together.

Q. If anyone said that Quon En You lives with his daughter-in-law and grandson would that be incorrect?

A. I know that Quon En You has neither a daughter-in-law or grandson living with him.

Q. Why do you say that—because he has never been married?

A. Because I have never seen a woman or child in that house.

Q. Do you frequently go by the house?

A. Twice a day when I come home for my meals.

Q. Have you thoroughly understood the interpreter?

A. Yes.

Referred to Board of Special Inquiry by A. W. Stockwell, Inspector.

[fol. 40] Know all men by these presents that I, Quon Mee Sing, on oath depose and say that I am an American citizen and my status as such was determined before U. S. Commissioner, John C. Zurbrick, at the port of Vancouver, B. C., June 18, 1912, when Certificate of Identity #6959 was issued to me. My status has been investigated at the port of Boston several times; see Boston file 2500/5240.

I have a son, Quon Quon Poy, whom I desire to have join me in this country and I am making this affidavit for the purpose of facilitating his admission. Photographs of my son and myself are hereto annexed.

I herewith appoint Joseph F. O'Connell as my attorney and request that he be notified of all proceedings in connection with the admission of my said son.

(Sgd.) Quon Mee Sing.

Sworn to before me this 20th day of November, 1923.
(Signed.) Ernest B. Rowe, Notary Public. My Commissioner expires Mar. 16, 1928.

(Photo.) (Photo.) Boston. No. 2500/5929, Chinese.

Copy.

[fol. 41] (Copy

Form 541

U. S. Department of Labor, Immigration Service

Medical Certificate

Port of Boston, Mass., Date: July 1, 1924.

Name, Quon Quon Poy. Age, 15. Sex, male.
Native of China. Race, ——. Date of arrival, 6/25/24.
S. S. Prince George. Class, —. Manifest No. —.

This is to Certify That the above-described person has this day been examined and is found to be afflicted with Uncinariasis, hookworm infection, that may affect ability to earn a living. Also ascaris lumbricoides and trichiurus, round and whip worm infection of intestines.

(Signed) M. M. Gilbert, A. A., Surgeon M. G. Kotler, A. A., Surgeon, U. S. Public Health Service.

[Endorsed:] No. 55392, 626. U. S. Dist. Ct. Dist. of Mass. #2855, Civil Docket. In re Quon Quon Poy. Habeas Corpus. Record of U. S. Immigration Board.